



MEETING MINUTES

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
WATER RESOURCES ADVISORY COMMISSION**

Thursday, February 8, 2007, 9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members and Alternates Present:

**John Adornato
Michael Bauer
Douglas Bournique
Walter Carson
Jennifer Conner
Joan Davis
Jamie Furgang
Rebecca Garvoille
James Harvey
James Humble
Tom Jones
Joan Lawrence
Barbara Miedema
James Murley
Jim Reynolds
Jeff Schmidt
Craig Tepper
Howard Wegis
Ed Wright**

**Jeff Ann
Thomas Bausch
Al Calloway
Michael Collins
Harry Cronin
Carolyn Dekle
Brij Garg
Beverly Grady
Patrick Hayes
Kristin Jacobs
Thomas Kenny
David Lithgow
Thomas Miller
Charles Pattison
Judy Sanchez
Ray Scott
Joseph Walsh
Samantha Whitcraft
Douglas Yoder**

1. **Welcome and Introductions - Michael Collins, Chair**

5m

2. **Update on Regional Water Availability Rulemaking - Chip Merriam,
Deputy Executive Director, Water Resources, SFWMD**

15p 15d

Chip Merriam presented on the Regional Water Availability
Rulemaking

Questions and Answers:

Q: How will excess water from CERP projects be allocated?

A: If and when there is excess water for allocation it will be up to the Governing Board to decide on allocations and to work with applicants on the allocations.

Chair Collins - It is expected to be similar to how we handle our existing consumptive use permitting process.

Q: How are MFL deficiencies addressed under the Regional Water Availability Rule?

A: MFLs are more restricted than the Regional Availability Rule.

Joan Lawrence - The Department of Interior supports this rule and commends the SFWMD for its work.

Kim Taplin - The USACE also supports this rule.

Q: Will SFWMD certify surplus wet season flows for planning by the utilities?

A: We will start working with the utilities to identify excess water availability during the wet season.

Tom Miller - We are pleased with the rule and the process. District staff worked very hard with utilities to understand our needs. It has created a balance. Palm Beach County Utilities fully supports the rule.

John Adornato - Great step in the right direction for protecting water supply for the natural systems. Some of the lingering concerns will be solved by CERP.

James Harvey - Will this change the order in how applicants apply for consumptive use permits?

Chip Merriam - We are preparing a series of issues that we will present to the Governing Board, like whether there is a hierarchy for how you distribute water, and in recovery, is the first permit the one that gets the water?

Chair Collins - I appreciate the support from the utilities and the time the staff put into this rule. The input from the stakeholders and information that was brought back to the Governing Board has been extremely important. Without any objection, this will be brought to the Governing Board.

3. Overview of Floridan Aquifer in South Florida - Chip Merriam, SFWMD

20P/30D

Pete Kwiatkowski presented on the Floridan Aquifer Overview. There were questions asked by members for clarifications on some of the slides.

Questions and Answers:

Q: Will injection of treated wastewater into the boulder zone be necessary?

A: If the Floridan is tapped there will be the need to dispose of concentrated saltwater which is of the same density as the water in the boulder zone. There will be no buoyancy effect.

Q: Is the Floridan Aquifer water source for Georgia and South Carolina also?

A: Yes, the recharge is in the middle of Florida but is not impacting Georgia or South Carolina.

Q: With so many cities getting the go ahead to use the Floridan Aquifer, are we reflecting all these numbers in the projections?

Chair Collins - We need to set policy direction for these issues now.

Q: Has the population growth in Polk County been considered in the recharge?

A: Yes population growth is managed into it and recharge will be tied to the growth in that area. We are also trying to move excess water into these wells to lessen the peak impacts to Lake Okeechobee.

Q: How much of the recharge comes from surface seepage?

A: Only in the Kissimmee Basin.

4. * Public Comment

20m

5. **ACTION ITEM:** Lower East Coast Water Supply Plan Update - John Mulliken, Dir., Water Supply Planning Div., SFWMD

20p 20d

John Mulliken presented on the Lower East Coast Water Supply Plan Update

Questions and Answers:

Q: Will the plan need to be updated once the Regional Rule availability is adopted?

A: No it wont need to be revised.

Q: What does the population increase mean in new water needed? Is new water needed, additional water that is not permitted today?

A: Yes, some are 20 years permits others are water permitted today that will not be needed.

Q: Of what is posted in the web, there is nothing regarding Biscayne Bay?

A: There is text on Biscayne Bay, we will find it and post it.

James Murley In the accomplishments there is a recommendation that by 2000 MFLs will be set in Biscayne Bay, and then it says it has been postponed to 2008, but in appendix H there is nothing regarding Biscayne Bay. We would like to see a track out to 2025 so that we can track progress for this water body.

John Mulliken The track is on Chapter 6 and it is the same that the Governing Board approved. We will check and make sure is out there.

Chair Collins The fact is that basic information is been hard to gather and I am skeptical at the 2008 deadline

Doug Yoder The City of Hialeah project is not shown in the LEC plan. They are looking for funding. Is there a way of incorporating it in the plan?

John Mulliken - At this point we have not received the request from Hialeah so it was not incorporated. As other projects come up we will revised them on a yearly basis and incorporate them to the plan.

Q: The population numbers look lower.

A: Our new 2025 is actually 2020 numbers. The numbers are raw numbers. More withdrawals will be needed to support the customers.

Commissioner Jacobs Some of the cities have not been asked to come up with an Alternate Water Supply Plan (AWS). These utilities need to start working on conservation and make it part of the plan. On this report only Ft Lauderdale is asked to deal with a conservation plan while others are not. I will ask the District to come up with a plan so that all utilities in Broward County are asked to come up with an AWS.

Jim Reynolds - The numbers might be askew by tourist affluence so the per capita numbers might be deceiving.

Chip Merriam From the permitting side we will ask them to come up with an AWS plan.

Jim Harvey -There is has to be a way of characterizing consumptive use instead of per capita.

Chair Collins As new permits come in we are asking for a water conservation plan.

Ray Scott - Agricultural water use will have no increase on a regional basis. The SFWMD is one of the Districts that thru the AWS plan funding has put some money back into agricultural water supply project.

Joan Lawrence Could we put the intent for Biscayne Bay on Chapter 3 where you mention other MFLs and water bodies.

A: Will desalination plants be included in the AWS projects?

Q: They will be, but they arent any in this plan.

Doug Yoder Some of our commissioners have express interest in desalinization and cost wise is in the same magnitude as reuse.

Chair Collins We will consider that alternative as part of the plan.

Public Comments

Irene Quincey Regarding C139, Gulf Citrus is looking into positive alternative solutions, but we need a sub regional model. There is a paragraph that needs rewording before we can say it is the best alternative.

Chair Collins Do you have alternative language?

Chair Collins asked Irene Quincey to come up with alternative language and present to the WRAC members for consideration.

Craig Tepper There is a concern by the Tribe that has been overlooked. There was an irrigation component that moved water to the west and this conveyance has not been used.

Chair Collins Let me suggest that we integrate this component into our next cycle. Please get together with Irene Quincey and lets incorporate a sentence.

Bubba Wade There is a lot of water but not a conveyance to get it there. There are a lot of environmental studies going on about how to send this excess water.

Chair Collins There is no infrastructure so we need to make a decision on funding, but storage in private lands will not reflect on consumptive use permits.

Irene Quincey The District could prepare a sub regional model, to evaluate the existing uses and the sources; and continue to evaluate and explore alternatives in conjunction with DACS and stakeholders (including the use of combined water storage, tailwater recovery and other alternative uses).

Chair Collins asked that the language be softened to just say that a sub regional model is needed and the District should continue to work with the stakeholders in the basin.

Bubba Wade I have to declare a conflict as I owned a lot of land in the C139 Basin. We have to have a better understanding of what is going on out there.

Chair Collins - As amended on the C139 by discussion here today the plan is moving for approval to the next Governing Board meeting.

6. * Public Comment

20m

7. WRAC Recreation Issues Workshop Report, January 22 Meeting: David Lithgow, Recreation Issues Chair

15p 15d

David Lithgow gave an overview of the WRAC Recreation Issues Workshop Report. As part of his report he asked that the WRAC approved the recommendation of taking the meetings on the road for better participation. There was a presentation on the agreement with ORV users. Also stakeholders representing fishing questioned why they cant fish in the Reservoirs and the STAs but they can fish in Lake Okeechobee.

Chair Collins We need to keep cost down when traveling and that will be my concern with taking the meetings on the road, otherwise I think is a great idea.

David Lithgow We are recommending two of the quarterly meetings be held here in Palm Beach and two out traveling.

Commissioner Jacobs Broward County will help with the outreach of the meetings and locations that are accessible and compatible to the issues of the Recreation workshops. One of the locations could be the Ann Kobe Nature Center.

Chair Collins Regarding STA 1 East, I dont remember any agreements but just a discussion please work with Jim Harvey who represents the Village of Wellington and find out what are their ordinances. We will then bring it up to the Governing Board.

Jim Harvey When STA 1 East was annexed to the Village of Wellington there was no promise to make it available for hunting. One of the big issues was duck hunting and I will be glad to work with anyone on this issue.

Chair Collins The reason why fishing is not allowed in the reservoirs and STAs is because we are building them. They are not a natural water body. I also notice on your notes that there was a request for youth day and I think is a great idea. We will discuss it with the staff and I will definitely take it to the Governing Board next week.

Public Comments:

Newton Cook We had a great Youth-A-Thon and about 150 people participated in this event. We had over 5,000 participating in the STA duck hunting. On another subject, a garbage dump is planned to be constructed next to a National Federal Wildlife Preserve and permits are being pulled as we speak. We oppose this and we hope the environmental people will work with us on this.

Jamie Furgang asked the Waterfowlers position on the planned FPL coal plant.

Newton Cook - We have no position on it, but we are not going to oppose it.

8. Lunch - 12:15 - 1:00 p.m.

45m

9. Lake Okeechobee Committee Report and Proposed Committee Recommendations Status - Bubba Wade, Chair, WRAC Lake Okeechobee Committee

15p 15d

Bubba Wade presented on the Lake Okeechobee Committee Report and the proposed recommendations.

At the last Lake Okeechobee meeting there was discussion about endorsing legislation for the protection of the estuaries. Ernie Barnett will draft a resolution to support restoration of the lake and the estuaries for consideration by the Lake Okeechobee Committee and the WRAC.

Question and Answers:

Ray Scott - We need a briefing on Land Acquisition for the Hebert Hoover Dike restoration.

Bubba Wade In February we will have maps showing impacts of the 150. We will then get public input. Can we engineer it different so that we don't have to move highway, railroad, home, etc?

Barbara Miedema The USACE will try to use the design that will minimize any impact on the homes. If you remove all these homes there is no tax base for the city of Pahokee. We are trying to find what a more economically feasible alternative.

Chair Collins The design has been changed to meet dam safety standards.

Kim Taplin - The original concept has been changed and we are coordinating on a daily basis with the SFWMD to minimize impacts. I would like to comment on the work of the Lake Okeechobee subcommittee.

Jaime Furgang The subcommittees work is outstanding, we would like to see something similar done like with Lake Istokpoga and I don't see it as part of the strategies. We want to see some consensus about how much storage will be necessary for the watershed.

Bubba Wade Please have Paul Gray attend the meeting with the appropriate language for this strategy. Also, there was an issue with the FPL plant at our meeting in Clewiston and the idea is to have someone from FPL at the meeting to address these concerns. I think we are meeting back at Clewiston in a couple of months.

10. Lake Okeechobee Protection Plan Evaluation Report - Response to Comments - Susan Gray, Ph.D., Deputy Director, Watershed Mgt. Dept., SFWMD

10p 20d

Susan Gray presented on the Lake Okeechobee Protection Plan Evaluation Report

Questions and Answers:

Q: If you are on the BMP program are you being monitored?

A: Individual parcels are not monitored.

Q: What is the time frame for total participation for the BMPs?

A: Everything has to be done by 2015 and those who choose not to participate need to start individual monitoring.

11. Lake Okeechobee Regulation Schedule Revisions - Update: Peter Milam, Sr. Project Manager, USACE, Jacksonville, District

30p 30d

Peter Milam presented the Lake Okeechobee Regulation Schedule Revisions Update.

There were clarifications asked for some of the slides. Pete Milam recommended that the members visit the USACE website to view the full study in more detail.

Questions and Answers:

Q: The effects of water supply on the LEC, how many times will we see water restrictions and how many times will the forward pumps be turned on?

A: The modeling is posted on our website where you can find answers to these questions.

Bubba Wade Can you clarify the 250 cfs and 450 cfs environmental releases to the Caloosahatchee River as discussed at our last Lake Okeechobee committee meeting?

Pete Milam - The 250 and 450 cfs releases were not included in the model but they are included in the allocation. It is included as a whole allocation pie. In the beneficial use zone that whole volume is based on the allocation the state determine the beneficial uses are. How the state disburses its water it is not our concern.

Chip Merriam The USACE NEPA analysis covers the whole package. Below 12.5 the state will be making a direct request to USACE for releases. The releases are analyzed in the NEPA document but allocations will be at the states discretion.

Barbara Miedema - We need to develop protocol for environmental releases during a water shortage plan so that we know what it means from a water supply point and environmental point.

Chip Merriam - This is only a three year plan, in three years we will have other CERP projects coming on board.

Bubba Wade asked Tom MacVicar if he needed more clarification for water supply users around the lake.

Tom MacVicar I cant recommend this schedule to my agricultural people because it doesnt do what it says. We can predict the environmental or water supply releases.

Chip Merriam Let me have a couple of weeks to go thru the protocol document and bring it back to the Governing Board.

Bubba Wade - What is the risk of the TSP saying one thing and the District saying something else?

Beth Ross We cant prevent Mother Nature from doing things that were not part of the modeling. We will be within the USACE schedule and their water control plan.

Kim Taplin If we get too much water or a drought that it is not covered under the NEPA analysis, we can always get together with the District in an emergency mode and revise the modeling.

Chair Collins - Please get together so that we can bring this back to the Lake Okeechobee Committee.

Public Comment:

Paul Gray At the beginning of the meeting our Audubon paper was passed around. In this paper we expressed the need for more storage North of the lake to relieve releases to the estuaries. If we take into consideration the events of the last 4 years our goal of meeting the 2015 phosphorus loads are not good. We want the last five years included in the report. We thank Susan Gray and the Committee for their work.

Chip Merriam Our target is 105 ppb phosphorus and that is what we are going to accomplish. The projects that are being designed today are with those numbers in mind.

Chair Collins The number is 105 ppb and we will keep working for that goal. A lot of these lawsuits are paper work that is holding us back and we can use the money spent on lawsuits to buy more land needed for these projects.

12. * Public Comment

15m

13. Adjourn: 3:15 p.m